

REMARKS

In response to the restriction requirement included in the Office Action mailed December 13, 2007, Applicants elect with traverse Group I, species 1 related to claim 5 and 7 drawn to a system including a radiation source comprising a nitride compound semiconductor (claim 5) and traffic sign (claim 7). The Examiner had indicated that claims 1-7 are in this elected Group I, where claims 5 and 7 are selected from among the alleged species.

It is respectfully submitted that as a result of the present amendment, claims 13-18 are in Group I. Accordingly, it is respectfully submitted that the elected Group I, species of claims 5 and 7, includes claims 1-3, 5 and 7 and 13-18. Applicants reserve the right to prosecute the subject matter of the non-elected claims in a divisional or other continuing application.

The Examiner states that claim 1 is generic. However, it is believed that claim 13 is also generic. Further, it is respectfully submitted that claims 4, 6 and 8-12 should also be part of Group I.

It is believed that claims 1-18 should all be examined on the merits.

Applicants' traversal is based at least on the fact that identified the embodiments are so closely related that the search and examination of the entire application can be made without serious burden.


MPEP § 803 - Restriction - When Proper

... If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Applicants' traversal is based at least on the fact that a search encompassing the embodiments of elected Group I, such as claims 1-3, 5 and 7 and 13-18, are so closely related to Group II, and remaining species, such as claims 4, 6 and 8-12, that the search and examination of Group I, claims 1-3, 5 and 7 and 13-18 necessitates a search of the elements encompassed by Group II and further species associated with claims 4, 6 and 8-12. In fact, due to the nature and relationship of the claim elements, a search of the Group I claims will likely encompass prior art related to the Group II claims. Accordingly, a search and examination of the entire application can be made without serious burden.

Based on the foregoing, Applicants respectfully request withdrawal of the restriction requirement and examination of the application on its merits are now respectfully requested.

Respectfully submitted,

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